

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

RAYMOND ORRAND, et al.,

Plaintiffs,

v.

CAVOTTA LANDSCAPERS, INC.,

Defendant.

Case No.: 2:13-cv-796

JUDGE EDMUND A. SARGUS, JR.

Magistrate Judge Elizabeth Preston Deavers

OPINION AND ORDER

This case is an action under the Employee Retirement Income Security Act of 1974, 29 U.S.C. § 1001, *et seq.* (“ERISA”), to recover delinquent contributions. The Court granted Plaintiff’s unopposed Motion for Summary Judgment on October 7, 2014. (ECF No. 31.) In the Court’s decision, it found, *inter alia*, “that Plaintiff is entitled to reasonable attorneys’ fees pursuant to 29 U.S.C. § 1132(g)(2)(D).” (ECF No. 31 at 2.) That section of ERISA provides that the Court “shall award the plan . . . reasonable attorney’s fees and costs of the action to be paid by the Defendant.” Consequently, Plaintiff has filed its brief and supporting evidence documenting its attorney fees. (ECF No. 33.)

Plaintiff’s evidence shows that its counsel performed 15.46 hours of work at an hourly rate of \$200.00 for a total of \$3,092.00. Plaintiff also expended \$400.00 in costs. Plaintiff adequately supports its request with an affidavit indicating the amount of time its counsel spent on the case, the type of work done, and its counsel’s experience in the ERISA field. The Court finds that the amount Plaintiff requests for attorney’s fees is reasonable. The Court, therefore,

awards Plaintiff attorney fees in the amount of \$3,092.00 and costs in the amount of \$400.00.

IT IS SO ORDERED.

10-23-2014
DATE


EDMUND A. SARGUS, JR.
UNITED STATES DISTRICT JUDGE